

**WASHINGTON STATE HUMAN RIGHTS COMMISSION
MEETING OF
AUGUST 23, 2002**

**Conference Call
Olympia, WA**

MINUTES

PARTICIPANTS

Commissioners: Rudy Vasquez (Chair); Charlotte Coker; Ellis Casson; Dallas Barnes; and Reiko Callner. A quorum was present.

Staff: Sue Jordan, Executive Director; Arthur Stratton, District Manager; Tanya Calahan, Commission Clerk; and Susan Carlson, Assistant Attorney General.

OPENING

The meeting was called to order at 10:03 A.M. by Commissioner Vasquez.

**APPROVAL OF
MINUTES**

Commissioner Callner requested that the minutes of July 25-26, 2002 be amended. She requested that the following language be added to in the first carryover paragraph on page two of the Thursday evening minutes. Starting from the word "Sea Tac," add the following: "This option might be preferable as a budget-saving measure if public participation cannot be improved. Alternately, she" . . . She also requested that the following language be added. On page five, seventh paragraph insert the word "a" between "has" and "10" in the last sentence.

On page six in the fifth full paragraph, insert the following at the end of the sentence that now ends with "Executive Director" to add "but that in similar agencies, there is normally some involvement in high level hiring decisions by the Commissioners or board members." Commissioner Casson then made a motion to approve the minutes of July 25-26, 2002 with the requested amendments. Commissioner Callner seconded the motion. MOTION CARRIED.

**APPROVAL OF
CASE CLOSURES**

Commissioner Coker made a motion to approve the case list for the period of July 20 – August 16, 2002. Commissioner Casson seconded the motion. MOTION CARRIED.

**EXECUTIVE
DIRECTOR'S
REPORT**

Executive Director Sue Jordan gave an update on agency activities.

Ms. Jordan reported that the biennial budget was submitted timely. The efforts of Reneé Knight and Mary Clogston were instrumental during the budget process.

Ms. Jordan and Equal Opportunity Compliance Specialist Dean Hirst participated in a joint employment law training with the federal Equal Employment Opportunity Commission (EEOC) on August 7, 2002 in Kennewick. The training was attended by 70 individuals. This proved to be an excellent outreach and networking opportunity that resulted in good contacts with businesses in the Tri-Cities area.

Ms. Jordan reported that the agency has a new Deputy Director; Dariush (DK) Khaleghi. Mr. Khaleghi officially begins on September 16, 2002.

Discussion ensued about the hiring process for the Deputy Director position. There was discussion about the apparent confusion about whether the Commissioners wanted copies of the final candidates' resumes in addition to Commissioner Vasquez participating on the final interview panel. Commissioner Callner stated that staff should request clarification at the Commission meeting if the Commissioners' instructions are unclear.

Commissioner Barnes expressed concern about the hiring process for the Deputy Director and the lack of Commissioner involvement. He stated that he doesn't see the urgency in filling the position right away. He stated that the process was rushed. Commissioner Barnes then made a motion to rescind the Deputy Director job offer made to Mr. Khaleghi. MOTION DIED FOR LACK OF A SECOND.

Commissioner Callner stated that she is not seconding Commissioner Barnes' motion. But, the hiring process for the

Deputy Director was not smooth. She acknowledged Executive Director Sue Jordan's comments at the July 26 meeting about feeling that the Commissioner's do not trust her. Commissioner Callner commented that it is not unreasonable for a board to take an active role in high level hiring decisions. She also expressed concern about the hiring process and the manner in which discussions about the process took place.

Commissioner Vasquez stated that clarity in the hiring process is key. The established procedure has been in place for some time. The Deputy Director position did not exist until 1998, after Ms. Jordan became Executive Director. There are areas of ambiguity in the hiring process and procedures that need clarification.

Commissioner Callner stated that concerns remain about delegation of Commission authority, how instructions are carried out by staff, Commission directives, and management issues. She suggested a separate meeting in addition to the regular Commission meeting to discuss personnel matters with the Assistant Attorney General.

Commissioners Vasquez and Callner will work together to lay out the areas of concern that need to be addressed. They will draft a skeletal outline and provide a copy to the other Commissioners for input in time for discussion at the September 2002 Commission meeting. The plan is to finalize the document in October 2002.

Commissioner Barnes stated that the Commission is legally wrong by proceeding with the current process for hiring the Deputy Director because the authority to hire is the Commissioners'. Assistant Attorney General Susan Carlson commented about the general delegation of authority to the agency's chief executive; the Executive Director. The authority is broad enough to not be a violation of RCW 49.60. Commissioner Callner commented that the current scenario is a policy issue rather than a violation of law. Commission direction has not been clearly communicated in this area.

Commissioner Coker commented that the concerns raised are new territory for the Commission and the Commission is in the process of setting new direction for the agency. She acknowledged that there will be stumbling and mistakes will be made along the way.

Commissioner Casson asked whether Commissioner Vasquez participated in the decision process for hiring the Deputy Director.

Ms. Jordan stated that Commissioner Vasquez did not but he participated in scoring the final three candidates. He along with District Manager Arthur Stratton, and Ms. Jordan comprised the final interview panel. They all rated Mr. Khaleghi the highest of the three final applicants. Ms. Jordan made the final hiring decision.

Commissioner Barnes requested the resumes of all candidates who were interviewed. Assistant Attorney General Susan Carlson stated that it was permissible to distribute the resumes to the Commissioners but they should not be disclosed to other parties.

Commissioner Casson stated that he did not want copies of the resumes. He added that a decision to hire the Deputy Director has been made and the offer is not being rescinded. He then asked what the point would be in seeing the other resumes if the decision has already been made.

Commissioner Barnes stated that looking at the other resumes could help make the hiring decision more "palatable." He commented that he could make a trip to the Olympia headquarters office if he needed to get more information.

Commissioner Vasquez commented that if Commissioner Barnes requests additional information from the Clerk, it should be shared with the other Commissioners. The Clerk is accountable to the Commissioners for making sure information is properly provided to all Commissioners.

Commissioner Casson raised the issue of who should respond to questions submitted by a Commissioner in a memo to other Commissioners. There needs to be clarification in this area.

Commissioner Barnes stated that much of what he raised in his August 16, 2002 memo was answered during the meeting.

Commissioner Callner stated that the Commission should be responsive to the issues raised by Commissioner Barnes, which will hopefully be clarified in October 2002.

Commissioner Vasquez shared that he feels strongly about building a structure for addressing the issue raised. Re treading old ground is distracting. Issues that need to be addressed need to be brought to the table for discussion by the Commissioners.

Commissioner Barnes asked about the progress of Commission bylaw development. The bylaws will be distributed for discussion at the September 2002 Commission meeting. There was discussion about what the instructions were for developing the bylaws.

Commission Clerk Tanya Calahan will send a copy of the language from the June 2002 Commission meeting minutes to the Commissioners that addresses bylaw development.

Commissioner Coker stated that the adopted Rules of Order and Procedure should be included in a Commissioner policy book.

There being no further business, the meeting adjourned at 11:08 a.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Tanya Y. Calahan".

Tanya Y. Calahan
Commission Clerk

**ACTION ITEMS
AUGUST 23, 2002 COMMISSION MEETING**

1. **Item:** Commissioner Callner requested that amendments be made to the July 25-26, 2002 Commission meeting minutes.

Status: Commission Clerk Tanya Calahan made the requested changes to the official minutes of the July 25-26, 2002 Commission meeting.
2. **Item:** Commissioners Vasquez and Callner will draft a document concerning agency issues for distribution to all Commissioners prior to the September 2002 Commission meeting.

Status: Two draft issue grids were drafted and mailed to all Commissioners on September 20, 2002 for discussion at the September 27, 2002 Commission meeting.
3. **Item:** Commission Clerk Tanya Calahan will send a copy of the language from the July 27-28, 2002 Commission meeting minutes that addresses Commission bylaw development.

Status: The information was mailed to all Commissioners on September 6, 2002.